



200311070093

Skagit County Auditor

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Return to: Skagit Surveyors & Engineers
806 Metcalf Street
Sedro-Woolley, WA 98284
Phone: (360) 855-2121

COVER SHEET

OPEN SPACE AGREEMENT

GRANTORS: Brian Arbogast and Valerie Tarico, husband and wife

GRANTEE: Skagit County

LEGAL DESCRIPTION

Tract 9, "SINCLAIR", according to the survey thereof, recorded in Volume 3 of Surveys, Page 121, under Auditor's File No. 8106180002, being in Sections 9 and 10, Township 36 North, Range 36 North, Range 1 East, W.M., EXCEPT tidelands.

ASSESSOR'S PROPERTY TAX PARCEL NUMBER: P46344
ASSESSOR'S PROPERTY TAX ACCOUNT NUMBER: 330109-0-001-0809

SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
Paid

NOV 04 2003

Amount Paid \$
Skagit County Treasurer
By: Deputy

OPEN SPACE EASEMENT/AGREEMENT

In consideration of Skagit County Code (SCC) 14.24.170 (1) (a) requirements for designating areas of open space on all subdivisions, the owners in fee of that certain real property described on the face of Short Plat No. PL 00-0426 do hereby designate a portion of Lot 1 and Lot 2 as Open Space Protected Area (OS-PA). The portion of the lots that are developed or are proposed to be developed have an approved site assessment and Protected Critical Areas delineated on the Short Plat.

This designation is subject to the following terms:

1. Lot 1 contains a mix of designations. 6.17 acres are designated as Open Space Protected Area (OS-PA) per SCC 14.24.170(1)(a). 0.91 acres are designated Protected Critical Area (PCA) per SCC 14.24.170(1)(a)(b). 2.04 acres are designated Buildable Area (including the private road easement) and was part of the approved site assessment. Lot 2 also contains a mix of designations. 6.76 acres are designated as Open Space Protected Area (OS-PA) per SCC 14.24.170(1)(a). 0.52 acres are designated Protected Critical Area (PCA) per SCC 14.24.170(1)(a)(b). 2.72 acres are designated Buildable Area (including the private road easement) and was part of the approved site assessment. Specific delineation of the critical areas has only been done on portions of Lot 1 and Lot 2. If the owner of Lot 1 or Lot 2 choose to use any of the area not already delineated within the designated OS-PA, specific critical area delineation of the area to be used will be required and if necessary, appropriate buffers and mitigation will also be required.
2. The right to use and possession of that portion of the lots designated for Open Space Protected Area shall reside in the owner of said lot and his heirs, successors, assigns and invitees.
3. The Open Space Protected Area designation shall not be construed to provide open or common space for owners within the project or members of the public.
4. The Open Space Protected Area designation shall run with the land and be binding on current and future owners, their respective heirs, successors and assigns.



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